

## Message Text

UNCLASSIFIED

PAGE 01 STATE 021981

20

ORIGIN EB-07

INFO OCT-01 EUR-12 ISO-00 HEW-06 /026 R

DRAFTED BY EB/OT/STA:MNAYOR:JH  
APPROVED BY EB/OT/STA:WCLARK, JR.  
FDA:RSHELTON

----- 079075

R 290134Z JAN 76  
FM SECSTATE WASHDC  
TO AMEMBASSY ROME  
AMEMBASSY BERN

UNCLAS STATE 021981

E.O. 11652:NA

TAGS: ETRD, ECEM, US

SUBJECT: FDA BAN ON RED 2

REF: ROME 1192; BERN 345

1. ON JANUARY 27 THE U.S. DISTRICT COURT FOR THE DISTRICT OF COLUMBIA ISSUED A TEMPORARY RESTRAINING ORDER ON THE FDA BAN ON USE OF RED DYE NO. 2. FDA WAS TO PUBLISH BAN IN FEDERAL REGISTER ON JANUARY 28, HOWEVER, THE COURT IMPOSED A 10 DAY DELAY AND SET A HEARING FOR FEBRUARY 6 TO DETERMINE WHETHER FDA FOLLOWED PROPER ADMINISTRATIVE PROCEDURES. UNTIL COURT ACTION IS RESOLVED RED 2 MAY CONTINUE TO BE USED IN FOODS, DRUGS, AND COSMETICS.
2. DEPARTMENT WILL KEEP POSTS INFORMED OF DEVELOPMENTS. KISSINGER

UNCLASSIFIED

NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** FOOD & DRUG REGULATIONS, DYES  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 29 JAN 1976  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** n/a  
**Disposition Approved on Date:**  
**Disposition Authority:** n/a  
**Disposition Case Number:** n/a  
**Disposition Comment:**  
**Disposition Date:** 01 JAN 1960  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1976STATE021981  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** MNAYOR:JH  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Film Number:** D760034-0208  
**From:** STATE  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1976/newtext/t1976018/aaaaagwz.tel  
**Line Count:** 48  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ORIGIN EB  
**Original Classification:** UNCLASSIFIED  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 1  
**Previous Channel Indicators:** n/a  
**Previous Classification:** n/a  
**Previous Handling Restrictions:** n/a  
**Reference:** 76 ROME 1192, 76 BERN 345  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** hattaycs  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 01 JUL 2004  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <01 JUL 2004 by schwenja>; APPROVED <27 JUL 2004 by hattaycs>  
**Review Markings:**

Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
04 MAY 2006

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** FDA BAN ON RED 2  
**TAGS:** ETRD, ECEM, US, IT, FDA  
**To:** ROME BERN  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006